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09/872,188	06/01/2001	David C. Mullen	7	2918
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AVAYA INC. 307 MIDDLETOWN-LINCROFT ROAD ROOM 1N-391 LINCROFT, NJ 07738			EXAMINER TO, JENNIFER N	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. Claims 1-5, 20, 21, 23-25 and 38-41 are pending for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 20-21, 23, 25, and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crockett et al. (hereafter Crockett) (U.S. Patent No. 4829563), and in view of Ramot et al. (hereafter Ramot) (U.S. Patent No. 5341412).

4. As per claim 1, Crockett teaches the invention substantially as claim including a work management method comprising:

for a future point in time, determining a probability of availability of each resource of a plurality of resources at said future point in time, to obtain the probabilities of availability of the plurality of the resources (abstract, lines 5-7; col. 3, lines 43-45; col. 4, lines 43-48; col. 19, lines 14-17, 32-35; predictive the availability of currently available operators (1st resource), and predictive the availability of currently busy operators (2nd resource) at the future point in time); and

combining together the determined probabilities of availability of the plurality of resources to obtain a number that is a result of the combining (col. 19, lines 39-44).

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5. Crockett did not specifically teach using the number to schedule new tasks for the resources for the future point in time.

6. However it is well know in the art at the time the invention was made to utilize total probabilities of resources available for the future point in time (total number of available operators) in Crockett's predictive dialing system to provide answered calls (schedule new tasks). For example, Ramot's system disclosed that it is well known in the art to utilizing predictive dialing system employ scheduling algorithms which attempt to provide answered calls (scheduling new tasks) as agents (operators, resources) become available to service them (Ramott, col. 2, lines 35-38). Thus, it would have been obvious to one of an ordinary skill in the art at the time the invention was made to calculate the probability of availability of a plurality of resources for a future point in time as shown in Crockett with the commonly available and understood technique of scheduling new tasks based on the availability of a plurality of resources in the art to gain the commonly understood benefits of such adaptation, such as optimizing resources.

7. As per claim 2, Crockett teaches the invention substantially as claimed in claim 1. However, Crockett did not specifically teach that wherein using the number to schedule new tasks comprises scheduling for the future point in time no more than the number of the new tasks to become available for servicing by the plurality of the resources. However, it have been obvious to one of an ordinary skill in the art the time the

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invention was made to have recognized that based upon the total available operators (resources) of Crockett's system to provide the number of answered calls no more than the number of available operators (i.e. if there are 10 operators available at time X, then there should be no more than 10 calls get the services). Thus it would have been obvious to one of an ordinary skill in the art at the time the invention was made to try the calculation of Crockett's system to schedule calls (new tasks) in a way that guarantee the calls to be serviced by scheduling the number of calls not to exceed the number of operators (resources) available.

8. As per claim 3, Crockett teaches that wherein combining together the determined probabilities comprises summing the probabilities to obtain the number (col. 19, lines 39-44).

9. As per claims 20-21, 23, 25, and 38-39, they are rejected for the same reason as claims 1-3 above.

Allowable Subject Matter

10. Claims 6-18, 22, 26-37, and 42-54 are allowable.

11. Claims 4-5, 24, and 40-41 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

12. Applicant's arguments with respect to claims 1-3, 20-21, 23, 25, and 38-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Grossman et al. (U.S. Patent No. 5889799), David (U.S. Patent No. 5926528), David (U.S. Patent No. 5640445), and Cave et al. (U.S. Patent No. 5570419) teach system and method for predicting the probability of availability of resources.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer N. To whose telephone number is (571) 272-7212. The examiner can normally be reached on M-T 6AM- 3:30 PM, F 6AM- 2:30 PM.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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Jennifer N. To
Examiner
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